

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed September 28, 2005. In the Office Action, claims 55-90 stand rejected under the judicially created doctrine of the obviousness-type double patenting.

Further, Applicant has presented amended claims that Applicant respectfully submits are patentable over the prior art of record.

Double Patenting

Claims 55-90 stand rejected under the judicially created doctrine of the obviousness-type double patenting as being allegedly unpatentable over claims 1-10, 12-21, and 23-32 of U.S. Patent No. 6,740,803.

Applicant submits a terminal disclaimer herewith to obviate the obviousness-type double patenting rejection. Applicant respectfully requests that the Examiner withdraw the obviousness-type double patenting rejection of claims 55-90.

Amended Claims

Applicant has presented amended claims 55-90 that Applicant respectfully submits are patentable over the prior art of record.

Applicant respectfully requests that the Examiner allow claims 55-90 and move this case to issuance.

Conclusion


In view of the remarks made above, it is respectfully submitted that pending claims 55-90 define the subject invention over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 1/30/2006

By


Eric T King

Reg. No. 44,188

Tel.: (714) 557-3800 (Pacific Coast)

Attachments

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

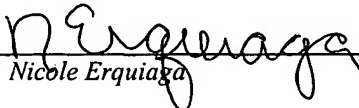
MAILING

☒ deposited with the United States Postal Service
as first class mail in an envelope addressed to:
Commissioner for Patents, PO Box 1450,
Alexandria, VA 22313-1450.

Date: 1/30/2006

FACSIMILE

☐ transmitted by facsimile to the Patent and
Trademark Office.


Nicole Erquiaga

1/30/2006

Date